UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 July 2008*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-45* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1, 5, 7-15, 26-27, 32 and 34 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Huggins et al., (US Publication No. 2004/0249965), (hereinafter

Huggins), and further in view of Biliris et al., (US Patent No. 6,041,354), (hereinafter

Biliris).

Regarding claim 1, Huggins discloses receiving, with the computer, information from a

user about a multimedia content in a stream generated by a content server in a

computer network, wherein the received information includes [Huggins, paragraphs 33

and 34, lines 12-14]:

a designated uniform resource locator (URL) of the content server [Huggins, paragraph

33];

scheduling with the computer from the content server at the designated URL at the

specified time [Huggins, paragraphs 26, 34, lines 18-23 and 35, lines 8-11 and 33];

specifying with the computer to the content server via the computer network a quality of

the stream [Huggins, paragraph 34, 10-14 and 30];

receiving with the computer the multimedia content in the stream from the content

server at the designated URL with the specified quality [Huggins, paragraphs 26, 33,

lines 4-6 and 34, lines 10-14]; and

saving the multimedia content in a system memory of the computer [paragraph 33,

media players will cache their content prior to playing].

Huggins does not specifically disclose a specified time frame associated with the

stream; a recording of the multimedia content; saving the multimedia content in a

system memory of the computer during the specified time frame. However, Biliris, in the

same field of endeavor discloses scheduling for a time period [Biliris, columns 5, lines

53-54 and column 7, lines 4-7]; recording of continuous media [Biliris, column 2, lines

53-57] and a specified time period [Biliris, columns 5, lines 53-54 and column 7, lines 4-

7]. It would have been obvious to one having ordinary skill in the art at the time the

invention was made to include a specified time period for recording media in order to

allow a user to watch the media in real time download or view at a convenient time,

later.

Regarding claim 5, Huggins further discloses the information about the multimedia

content stream is received through an application program interface [Huggins,

paragraphs 26, 33-35].

Regarding claim 7, Huggins further discloses wherein receiving information about the

multimedia content in the stream includes receiving a scheduled recording task

[Huggins, paragraphs 33-35].

Regarding claim 8, Huggins further discloses wherein the scheduled recording task

includes at least one of a unique task identifier, a user account identifier, a title, a start

time, a start date, an end time, an end date, a recording duration, a URL, a local storage

location, a recording quality identifier, and connection settings [Huggins, paragraphs 33-

35].

Regarding claim 9, Huggins further discloses at the specified time, automatically

connecting to the device [Huggins, paragraphs 33-35].

Regarding claim 10, Huggins further discloses automatically connecting to the device is

performed in accordance with connection settings included in the information about the

multimedia content stream [Huggins, paragraphs 33-35].

Regarding claim 11, Huggins further discloses the received information includes a

specified quality of the content [Huggins, paragraphs 33-35]; and

wherein quality of the stream is specified with the computer to the content server based

on the specified quality of the content [Huggins, paragraphs 33-35]

Regarding claim 12, Huggins further discloses receiving the multimedia content stream

includes specifying a quality of the stream in relation to a bandwidth associated with a

network connection [Huggins, paragraphs 33-35].

Regarding claim 13, Huggins further discloses the multimedia content stream includes

at least one of an on-demand content stream and a broadcast content stream [Huggins,

paragraphs 5, 26, 33-35].

Regarding claim 14, Huggins further discloses the computer network includes at least

one of a local area network (LAN), a wide area network (WAN), and the Internet

[Huggins, paragraphs 5, 26, 33-35].

Regarding claim 15, Huggins further discloses one or more computer-readable

memories containing a computer program that is executable by a processor to perform

the computer-implemented method recited in claim 1 [Huggins, paragraph 26].

Regarding claim 26, Huggins-Biliris further discloses an input device comprising a

keyboard, a pointing device, a microphone, a joystick, a game pad, a scanner, a touch

screen, a touch pad, a mouse or a key pad [Huggins, paragraphs 33-34];

a output device comprising a monitor, a screen, a speaker or a printer [Huggins,

paragraphs 33-34];

a storage device [Huggins, paragraphs 33-34];

means for receiving information from the input device about a multimedia content in a

stream provided from a server device via a computer network, the multimedia content in

the stream having an associated uniform resource locator (URL), wherein the received

information includes a specified time associated with the stream [Huggins, paragraphs

33-34];

means for scheduling [Huggins, paragraphs 33-34] a recording [Biliris, column 2, lines

53-57] of the multimedia content in the stream at the specified time [Huggins,

paragraphs 33-34];

means for receiving the multimedia content in the stream from the server device at the

specified time [Huggins, paragraphs 33-34];

means for saving the multimedia content in the storage device [Huggins, paragraphs

33-34]; and

means for feeding the saved multimedia content to the output device [Huggins,

paragraphs 33-34].

Regarding claim 27, Huggins further discloses, means for receiving the information from

one or more application programs [Huggins, paragraphs 26 and 33-35].

Regarding claim 32, Huggins-Biliris further discloses determine, on a user computer,

information about a multimedia content in a stream provided from a content server to

the user computer via a computer network [Huggins, paragraphs 33-35], wherein the

determined information includes a specified time frame [Biliris, column 5, lines 53-54,

column 7, lines 4-7] associated with the stream and a uniform resource locator (URL)

associated with a network location of the content server wherein the URL is obtained

from a user through a user interface [Huggins, paragraphs 33-35];

schedule [Huggins, paragraphs 33-35] a recording [Biliris, column 2, lines 53-57] of the

multimedia content in the stream on the user computer at the specified time frame at the

URL [Huggins, paragraphs 33-35]; and

save the received multimedia content in a storage device on the user computer

[Huggins, paragraphs 33-35] during the specified time frame [Biliris, column 5, lines 53-

55 and column 7, lines 4-7].

Regarding claim 34, Huggins further discloses the computer program further causes the

one or more processors to obtain the information from a content index [Huggins,

paragraphs 9, 26 and 33-35].

3.   Claims 16-20 and 22-25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Huggins-Biliris, and further in view of Swain et al., (US Publication

No. 2001/0047516), (hereinafter Swain).

Regarding claim 16, Huggins-Biliris discloses enabling a user [Huggins, paragraphs 34-

35] to schedule a recording [Biliris, column 2, lines 52-57] of a multimedia content in a

stream [Huggins, paragraphs 34-35] at a specified time frame [Biliris, column 5, lines

53-54 and column 7, lines 4-7] and at a designated uniform resource locator (URL)

[Huggins, paragraph 33];

creating a scheduled [Huggins, paragraphs 33-35] recording task [Biliris, column 2, lines

52-57] that includes information about the recording of the multimedia content in the

stream [Huggins, paragraphs 34-35] wherein the information about the recording

includes specifying a quality of the multimedia content in the stream [Huggins,

paragraphs 34-35] ;

sending the scheduled recording task to a recording service configured to perform the

scheduled recording task [Huggins, paragraphs 34-35] ;

recording the multimedia content in the stream [Biliris, column 2, lines 52-57] with the

scheduled recording task based on the specified quality of the multimedia content

[Huggins paragraphs 34-35] and specified time frame [Biliris, column 5, lines 53-54 and

column 7, lines 407].

Huggins-Biliris does not specifically disclose tracking the scheduled recording task,

whereby the tracked scheduled recording task facilitates an output to the user.

However, Swain, in the same field of endeavor discloses providing the user with

detailed information about the present recordings in progress [Swain, paragraph 40]. It

would have been obvious to one having ordinary skill in the art at the time the invention

was made to include providing current details of the recordings in order to allow the user

to track the current status of the recordings.

Regarding claim 17, Huggins further discloses wherein enabling the user to schedule

the recording includes providing a user interface that enables the user to input the

information about the recording [Huggins paragraphs 26, 33-35].

Regarding claim 18, Huggins further discloses the information about the recording

includes at least one of a title, a start time, a start date, an end time, an end date, a

recording duration, a URL, a location in system memory, a recording quality identifier,

recurring data, and connection settings [Huggins paragraphs 26, 33-35].

Regarding claim 19, Huggins-Biliris-Swain further discloses enabling the user to

schedule the recording includes enabling the user to create recurring recordings [Swain,

paragraph 31].

Regarding claim 20, Huggins further discloses sending the scheduled recording task to

the recording service includes interacting with the recording service through an

application program interface [Huggins paragraphs 26, 33-35].

Regarding claim 22, Huggins-Biliris-Swain further discloses tracking the scheduled

recording task includes obtaining a status of the scheduled recording task from the

recording service [Swain, paragraph 40 and figure 5].

Regarding claim 23, Huggins-Biliris-Swain further discloses tracking the scheduled

recording task includes providing the status to the user [Swain, paragraph 40 and figure

5].

Regarding claim 24, Huggins-Biliris-Swain further discloses if the multimedia content in

the stream is successfully recorded, enabling the user to access the recorded

multimedia content stream [Swain, paragraph 36]; and

if the multimedia content stream is unsuccessfully recorded, rescheduling the recording

of the multimedia content in the stream [Swain, paragraphs 31 and 36].

Regarding claim 25, Huggins further discloses one or more computer-readable

memories containing a computer program that is executable by a processor to perform

the computer-implemented method recited in claim 16 Huggins, paragraph 26].

4.   Claims 2-4, 28, 33, 35-36 and 38-40 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Huggins-Biliris, and further in view of Lindqvist et al., (US

Publication No. 2003/0088778), (hereinafter Lindqvist).

Regarding claim 2, Huggins-Biliris does not specifically disclose saving the multimedia

content in a system memory includes encrypting the multimedia content stream using a

digital rights management (DRM) system. However, Lindqvist discloses addition of

digital rights management (DRM) data [Lindqvist, paragraphs 77 and 144]. It would

have been obvious to one having ordinary skill in the art at the time the invention was

made to include DRM security measures in order to provide access control and copy

protection for the content.

Regarding claim 3, Huggins-Biliris-Lindqvist further discloses the DRM system is

configured to restrict access to the recording to a predetermined device associated with

the user [Lindqvist, paragraph 144].

Regarding claim 4, Huggins further discloses facilitating an output of the multimedia

content [Huggins, paragraphs 26 and 33-35].

Regarding claim 28, Huggins-Biliris-Lindqvist further discloses means for implementing

a digital rights management (DRM) system [Lindqvist, paragraphs 77 and 144].

Regarding claim 33, Huggins-Biliris-Lindqvist further discloses wherein save the

received multimedia content in a storage device includes encrypting the multimedia

content in the stream using a digital rights management (DRM) [Lindqvist, paragraphs

77 and 144].

Regarding claim 35, Huggins-Biliris-Lindqvist further discloses a network interface

configured to connect to a computer network [Huggins, paragraphs 33-35]; and

a memory that includes [Huggins, paragraphs 33-35]:

a scheduled recording service configured to receive a scheduled recording task that

includes information about a multimedia content in a stream provided by a device in the

computer network, schedule a recording of the multimedia content in the stream at a

specified time based on a time provided by a user, to receive the multimedia content in

the memory [Huggins, paragraphs 33-35, Biliris, column 2, lines 53-57, column 5, lines

53-54, column 7, lines 4-7], including encrypting the multimedia content using a digital

rights management (DRM) system [Lindqvist, paragraphs 77 and 144] [Huggins,

paragraphs 33-35, Lindqvist, paragraphs 77 and 144, Biliris, column 2, lines 53-57,

column 5, lines 53-54, column 7, lines 4-7]; and

a connection manager configured to receive a network location of the multimedia

content, and to establish a connection between the schedule recording service and the

network location of the multimedia content using the network interface, wherein the

network location is based on a manually entered URL provided by a user [Huggins,

paragraphs 33-35].

Regarding claim 36, Huggins further discloses the scheduled recording service is further

configured to provide an application program interface for interacting with application

programs [Huggins, paragraphs 26 and 33-35].

Regarding claim 38, Huggins further discloses the scheduled recording service is further

configured to automatically establish a network connection with the device through the

network interface for receiving the multimedia content stream [Huggins, paragraphs 26

and 33-35].

Regarding claim 39, Huggins further discloses the scheduled recording service is further configured to specify a quality associated with the multimedia content stream [Huggins, paragraphs 26 and 33-35].

Regarding claim 40, Huggins-Biliris-Lindqvist further discloses the scheduled recording service is further configured to maintain a configuration file that includes information about the scheduled recording task [Huggins, paragraphs 26 and 33-35].

5.   Claims 29-31, 37 and 41-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huggins-Biliris-Swain, and further in view of Lindqvist.

Regarding claim 29, Huggins-Biliris-Swain-Lindqvist further discloses means for enabling a user to schedule a recording of a broadcast multimedia content in a stream [Huggins, paragraphs 33-35] at a specified time [Biliris, column 5, lines 53-54 and column 7, lines 4-7] and to specify a quality of the stream [Huggins, paragraphs 30 and 34-35];
means for creating a scheduled recording task that includes information about the recording [Biliris, column 2, lines 53-57] includes the specified quality of the stream [Huggins, paragraphs 33-35];

means for receiving the broadcast multimedia content in the stream fed from a content

server via a network, wherein the network includes a bandwidth [Huggins, paragraph

34];

means for sending the scheduled recording task to a recording service configured to

perform the scheduled recording task [Huggins, paragraphs 30 and 34-35], wherein the

recording service records the multimedia content in the stream [Biliris, column 2, lines

53-57];

means for rescheduling the recording if the network bandwidth does not permit

recording of the multimedia content in the stream at the specified quality [Huggins,

paragraphs 30 and 34-35]; and

means for tracking the scheduled recording task, whereby the tracked scheduled

recording task facilitates an output to the user [Swain, paragraph 40 and figure 5].

Huggins-Biliris-Swain does not specifically disclose means for implementing a digital

rights management (DRM) system, the DRM configured to restrict access to recorded

multimedia content to a predetermined device associated with the user. However,

Lindqvist discloses addition of digital rights management (DRM) data [Lindqvist,

paragraphs 77 and 144]. It would have been obvious to one having ordinary skill in the

art at the time the invention was made to include DRM security measures in order to

provide access control and copy protection for the content.

Regarding claim 30, Huggins further discloses means for providing a user interface to

the user [Huggins, paragraphs 26 and 33-35].

Regarding claim 31, Huggins-Biliris-Swain further discloses means for enabling the user to create recurring recordings [Swain, paragraph 31].

Regarding claim 37, Huggins-Biliris-Swain further discloses the scheduled recording service is further configured to operate independent of a user account [Swain, paragraphs 15-16].

Regarding claim 41, Huggins-Biliris-Swain further discloses the scheduled recording service is further configured to maintain a log file that includes a status associated with the scheduled recording task [Swain, paragraph 37].

Regarding claim 42, Huggins-Biliris-Swain further discloses the memory further includes a scheduling application configured to enable a user to schedule a recording of the multimedia content stream at the specified time [Huggins, paragraphs 26 and 33-35], create the scheduled recording task that includes the information about the recording, send the scheduled recording task to the scheduled recording service; and track the scheduled recording task [Swain, paragraphs 15, 25-26, 13 and 40 and figures 2-3].

Regarding claim 43, Huggins further discloses the scheduling application is further configured to provide a user interface to the user for scheduling the recording [Huggins, paragraphs 26 and 33-35].

Regarding claim 44, Huggins-Biliris-Swain further discloses the scheduling application is further configured to provide a user interface to the user for tracking the recording [Swain, paragraph 40].

Regarding claim 45, Huggins-Biliris-Swain further discloses the scheduling application is further configured to enable the user to schedule recurring recordings [Swain, paragraph 31].

6.   Claim 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huggins-Biliris, and further in view of Walsh et al., (US Publication No. 2006/0031557), (hereinafter Walsh).

Regarding claim 6, Huggins-Biliris does not specifically disclose the application program interface includes a distributed component object model (DCOM) interface. However, Walsh discloses the use of using an inter-process communication of DCOM [Walsh, paragraph 34, lines 23-28]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include the use of an inter-process communication such as DCOM in order to allow for software components distributed across several networked computers to communicate with each other.

7.   Claim 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Huggins-Biliris-Swain, and further in view of Walsh.

Regarding claim 21, Huggins-Biliris-Swain does not specifically disclose the application

program interface includes a distributed component object model (DCOM) interface.

However, Walsh discloses the use of using an inter-process communication of DCOM

[Walsh, paragraph 34, lines 23-28]. It would have been obvious to one having ordinary

skill in the art at the time the invention was made to include the use of an inter-process

communication such as DCOM in order to allow for software components distributed

across several networked computers to communicate with each other.

Response to Arguments

8.   Applicant's arguments with respect to claims 1-45 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Examiner's Note: Examiner has cited particular paragraphs / columns and line numbers

in the reference(s) applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are

applied to specific limitations within the individual claim, other passages and figures

may apply as well. It is respectfully requested from the applicant in preparing

responses, to fully consider the references in entirety as potentially teaching all or part

of the claimed invention, as well as the context of the cited passages as taught by the

prior art or relied upon by the examiner.

Should applicant amend the claims of the claimed invention, it is respectfully requested

that applicant clearly indicate the portion(s) of applicant's specification that support the

amended claim language for ascertaining the metes and bounds of applicant's claimed

invention

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to WILLIAM J. GOODCHILD whose telephone number is

(571)270-1589. The examiner can normally be reached on Monday - Friday / 8:00 AM -

4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WJG
09/17/2008

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145